

1 THE HONORABLE BENJAMIN H. SETTLE
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5 UNITED STATES DISTRICT COURT
6 FOR THE WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 HP TUNERS, LLC, a Nevada limited
9 liability company,

10 Plaintiff,

11 v.

12 KEVIN SYKES-BONNETT, SYKED ECU
13 TUNING INCORPORATED, a Washington
corporation, and JOHN MARTINSON

Defendants.

14 Cause No. 3:17-cv-05760 BHS

15 **DEFENDANTS' RESPONSE TO HP
16 TUNERS' NOTICE OF FAILED
17 MEDIATION AND REQUEST FOR
18 TELEPHONIC STATUS
19 HEARING**

20 Defendants Kevin Sykes-Bonnett, Syked ECU Tuning Incorporated and John
21 Martinson, by and through their counsel, hereby respond to HP Tuners' "Notice of Failed
22 Mediation and Request For Telephonic Status Hearing (Dkt. #241) as follows:

23 1. Defendants enthusiastically support setting a trial date for as soon as possible.
24 This case has been pending far longer than necessary and its toll on the defendants has been
25 considerable and ongoing. Early resolution of this matter is needed and requested.

26 2. Defendants join in the request for an early status conference as a number of
27 pre-trial issues, largely raised by Plaintiff *after* this Court issued its October 9, 2019 Order
Striking Trial Date (Dkt. #225), remain pending.

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1 3. Defendants are available for a status conference as soon as possible and are
2 largely available for trial in early 2020.

3 Dated December 19, 2019.

Respectfully submitted,

4 */s/ Philip P. Mann*
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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify on the date indicated below, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all parties who have appeared in this matter.

DATED: December 19, 2019

/s/ Philip P. Mann